



Signed and Filed: August 20, 2021

*Dennis Montali*

DENNIS MONTALI  
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re: ) Bankruptcy Case  
PG&E CORPORATION, ) No. 19-30088-DM  
- and - ) Chapter 11  
PACIFIC GAS AND ELECTRIC COMPANY, ) Jointly Administered  
Reorganized Debtors. )  
☐ Affects PG&E Corporation )  
☐ Affects Pacific Gas and )  
Electric Company )  
☒ Affects both Debtors )  
\* All papers shall be filed in )  
the Lead Case, No. 19-30088 (DM). )

**ORDER REGARDING MOTION FOR RECONSIDERATION BY RICKY D. HORTON**

On October 21, 2019, Ricky D. Horton ("Claimant") filed Claim No. 87111 against debtor PG&E Corporation for \$50,000,000.00; his claim arose from the death of his brother, Rory Horton on or around September 5, 2016. On June 17, 2021, Debtors objected to the claim, contending it was barred by the two-year statute of limitations for wrongful death under Cal. Code Civ. Pro. § 335.1 (setting a two-year limitations period on

1 actions for "assault, battery, or injury to, or for the death  
2 of, an individual caused by the wrongful act or neglect of  
3 another"). See Omnibus Objection to Claims (Ninety-Third) (No  
4 Legal Liability Claims) (dkt. 10808). Because Claimant did not  
5 file a timely response to the objection, Debtors moved for entry  
6 of an order disallowing the claim by default (dkt. 10960). The  
7 court entered an order disallowing the claim by default on July  
8 22, 2021 (dkt. 10980).

9 On July 31, 2021, Claimant filed a Motion to Review and  
10 Correct a Possible Mistake to Case Identity, Motion to be Heard,  
11 and Motion to Reconsider ("Motion to Reconsider") (dkt. 11031).

12 On August 18, 2021, Claimant filed additional documents  
13 under seal (dkt. 11074) which the court will treat as part of  
14 the Motion to Reconsider. In the filing, Claimant referred to  
15 an October 8, 2021 hearing which the court assumes is a request  
16 for hearing.

17 In light of the foregoing, it is hereby ORDERED that,

18 1) Claimant's request to seal the documents filed at dkt.  
19 11074 is GRANTED. Claimant should provide copies of those  
20 sealed documents to counsel for Debtors if they request them.  
21 Copies provided by Claimant must be kept confidential by  
22 Debtors.

23 2) No later than September 10, 2021, Debtors shall file  
24 any response to Claimant's Motion to Reconsider.

25 3) No hearing will be held on October 8, 2021. The court  
26 will review Debtors' response and issue an appropriate order.

27 **\*\*END OF ORDER\*\***

COURT SERVICE LIST

Ricky-Dean Horton  
751 Rosemary Court  
Fairfield, CA 94533